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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**

**UNITED STATES OF AMERICA**

**3:16-CR-00051-BR**

**v.**

**AMMON BUNDY, et al.,**

**Defendants.**

**GOVERNMENT’S RESPONSE TO  
DEFENDANTS’ MOTION TO SUPPRESS  
EVIDENCE DERIVED FROM  
DISTRICT OF NEVADA  
FACEBOOK WARRANTS (#738)**

The United States of America, by Billy J. Williams, United States Attorney for the District of Oregon, and through Ethan D. Knight, Geoffrey A. Barrow, and Craig J. Gabriel, Assistant United States Attorneys, hereby responds to defendants’ Motion to Suppress Evidence Derived from District of Nevada Facebook Warrants (ECF No. 738), filed by defendant O’Shaughnessy on behalf of defendants Ammon Bundy, O’Shaughnessy, Payne, Ryan Bundy, Santilli, and Cooper (the Nevada defendants).

Nevada Facebook Warrants: The government does not intend to introduce at trial any evidence obtained from the District of Nevada’s Facebook warrants, with one exception: the

government reserves the right to use evidence from the Nevada Facebook warrants to impeach a defendant at trial, if that defendant's testimony is inconsistent with the defendant's prior statements contained in the evidence obtained from the Facebook warrants.

At this time, after consultation with counsel for Mr. O'Shaughnessy, the parties are not aware of any evidence the government obtained as fruits of the returns of the Nevada Facebook warrants. The defense, however, reserves the right to raise the issue anew if any evidence the government intends to offer at trial is later determined to be fruits of the Nevada Facebook warrants.

The government therefore respectfully recommends that the Court deny defendants' Motion as to the Nevada Facebook warrants as moot, with leave to renew.

Dated this 29th day of June 2016.

Respectfully submitted,

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United States Attorney

s/ Craig J. Gabriel  
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